

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

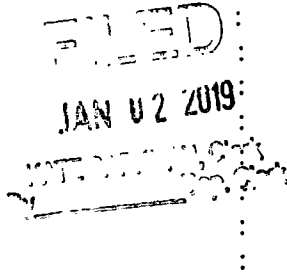
WARREN ALSTON,
Petitioner,

v.

COMMONWEALTH OF
PENNSYLVANIA, et al.,
Respondents.

CIVIL ACTION

NO. 17-444



ORDER

AND NOW, this *2nd* day of *JANUARY, 2019*, upon careful and independent consideration of the petition for a writ of habeas corpus, the responsive motion, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The petition for a writ of habeas corpus is **DENIED**;
4. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
5. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

JOEL H. SLOMSKY, J.

A handwritten signature in cursive script, reading "Joel Slomsky". Below the signature is a horizontal line, and underneath that line, the name "JOEL H. SLOMSKY, J." is printed in a serif font.

ENT'D JAN 02 2019